

DECLARATION OF LOCAL EMERGENCY AND
EXECUTIVE ORDER

WHEREAS, Garden City, Georgia, has experienced an event of critical significance as a result of the novel coronavirus known as COVID-19; and,

WHEREAS, the World Health Organization has declared COVID-19 as a global pandemic (COVID-19 Pandemic); and,

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency in response to the outbreak of COVID-19; and,

WHEREAS, on March 14, 2020, Governor Brian Kemp declared that a public health emergency exists in the State of Georgia due to the spread of COVID-19 within Georgia, said emergency state having been extended a number of times by Governor Kemp, the last time being on March 31, 2021, pursuant to an Executive Order extending the public health emergency to April 30, 2021, at 11:59 p.m., when it is scheduled to terminate; and,

WHEREAS, the number of confirmed cases and deaths from COVID-19 is still increasing internationally, nationally, and locally; and,

WHEREAS, on March 23, 2020, Governor Kemp announced, through the issuance of an Executive Order, that “certain individuals with an increased risk of complications from COVID-19 [were] to isolate, quarantine, or shelter in place,” covering those who “live in long-term care facilities, have chronic lung disease, are undergoing cancer treatment, have a positive COVID-19 test, are suspected to have COVID-19 because of their symptoms or exposure, or have been exposed to someone who has COVID-19,” and that the Department of Public Health would institute rules and regulations to implement such measures; and,

WHEREAS, on March 23, 2020, Governor Kemp additionally announced measures to “close all bars and nightclubs and ...ban all gatherings of ten or more people” unless they can assure spacing for at least six (6) feet apart between people at all times beginning at noon on March 24, 2020, and lasting until noon on April 6, 2020; and,

WHEREAS, on April 2, 2020, Governor Kemp entered an Executive Order which rescinded the March 23, 2020, Executive Order and which, among other things, ordered that until April 13, 2020, at 11:59 p.m. (1) all Georgia residents shall “Shelter in Place” within their homes unless conducting certain “Essential Activities or Services” (e.g., engaging in “Minimum Basic Operations” of permitted businesses, working as part of the “Critical Infrastructure” work force, obtaining necessary supplies and services for family members, seeking medical or emergency services, engaging in outdoor exercise, and performing “Necessary Travel”), (2) all business establishments that are not considered part of the “Critical Infrastructure” shall engage in only “Minimum Basic Operations” while observing social distancing, (3) all restaurants shall cease dine-in service, (4) all

gyms, fitness centers, bowling alleys, theaters, live performance venues, operators of amusement rides, body-art studios, hairstyling salons, massage parlors, and bars shall immediately cease all operations, and (5) all gatherings of 10 people or more in a single location shall be prohibited; and,

WHEREAS, on April 8, 2020, Governor Kemp extended the effectiveness of his April 2, 2020, order through April 30, 2020, but on April 20, 2020, and April 27, 2020, issued Executive Orders permitting gyms, fitness centers, body-art studios, estheticians, hair designers, and massage therapists to resume in-person operations subject to certain restrictions commencing April 24, 2020, and directing certain healthcare-related practices and services to begin treating patients as soon as possible in accordance with CDC guidelines and the provisions of said Order, and on April 23, 2020, issued another executive order which, among other things, (i) permitted restaurants and dining rooms, including those at private clubs, to resume providing dine-in services as of April 27, 2020, subject to certain restrictions set forth therein, (ii) permitted in-door theaters and bowling alleys to resume normal operations as of April 27, 2020, subject to certain restrictions set forth therein, and (iii) required only those residents and visitors of the State of Georgia who meet certain criteria for higher risk of severe illness as defined by the CDC to remain Sheltered in Place after April 30, 2020; and,

WHEREAS, on April 8, 2020, Governor Kemp also entered an Executive Order requiring senior care facilities to take steps to prevent the spread of the virus, including banning most visitors and requiring in-room dining services to the extent feasible, said Order having expired at 11:59 p.m. on September 15, 2020; and,

WHEREAS, the above-mentioned April 27, 2020, Executive Order of the Governor also imposed restrictions through May 13, 2020, on the operation of all retail businesses as a condition of resuming operations on or after May 1, 2020, and also specifically on food establishments such as grocery stores and convenient stores as a condition of continuing business operations; and,

WHEREAS, on May 12, 2020, Governor Kemp entered another Executive Order which incorporated most of the terms and provisions of his previous Executive Orders and which contained certain supplemental provisions such as (1) continuing until May 31, 2020, the closing down of all live performance venues, bars and night clubs; (2) continuing the sheltering down of those residents and visitors of the State of Georgia who meet certain criteria for higher risk of severe illness; (3) allowing restaurants and dining facilities to increase the party size at tables to 10 persons per table; and (4) establishing rules and regulations for the operation of summer camps effective May 14, 2020; and,

WHEREAS, on May 28, 2020, Governor Kemp entered another Executive Order effective June 1, 2020, and expiring June 15, 2020, which again incorporated most of the terms and provisions of his previous Executive Orders and which contained certain supplemental provisions such as (1) increasing the limit on social gatherings at a single location from ten (10) persons to twenty (25) persons if, to be present, persons are required to stand or be seated within six (6) feet of any other person, (2) allowing banquet and private event facilities to function where food is served, (3) continuing to ban all live performance venues, (4) permitting the opening of bars on June 1, 2020,

(5) permitting the opening of amusement parks, traveling carnivals, and circuses on June 12, 2020, subject to compliance with the operating guidelines set forth therein, and (6) establishing rules and regulations for the operation of summer schools; and,

WHEREAS, on June 11, 2020, Governor Kemp entered another Executive Order effective June 16, 2020, and expiring June 30, 2020, leaving in place everything in his prior Order and supplementing same with provisions which (1) no longer requires persons over the age of 65 to shelter in place unless they are in a category that is considered high risk by the CDC, (2) allowing sports and live performance venues to open to the public pursuant to certain requirements set forth at pages 32 through 36 of the Order, (3) allowing conventions to be held from July 1, 2020, provided that the requirements set forth at pages 37 through 38 are followed, (4) increasing the limit on social gatherings at a single location from twenty-five (25) persons to fifty (50) persons if, to be present, persons are required to stand or be seated within six (6) feet of any other person, (5) changing the requirements applicable to dine-in services by no longer requiring social distancing, allowing salad bars under certain conditions, no longer prioritizing take-out service, and opening accessory playrooms if regularly cleaned, (6) changing the requirements applicable to food establishments by no longer limiting the number of patrons inside a store to 50% of the fire capacity occupancy of the entire store or eight (8) patrons per 1,000 square feet, (7) changing the requirements applicable to gyms and fitness centers by now allowing hot tubs, saunas, and steam rooms to open and no longer requiring patrons to spray shower after exercising, (8) changing the requirements applicable to beauty salons, barbers body art studios, and massage therapists by no longer requiring services by appointment only, the use of hand sanitizer for arriving patrons, and waiting for services outside the premises, (9) changing the requirements applicable to bars by now limiting the total number of persons in the bar to 50 people or 35% of the fire occupancy, whichever is greater, (10) changing the requirements applicable to the operation of waterparks and amusement rides, and (11) changing the requirement that overnight campers and workers not be permitted to begin any summer camp unless they have received a negative test result for COVID-19 within seven (7) days prior to the beginning an overnight summer camp (the period of time being enlarged to twelve (12) days); and,

WHEREAS, on June 29, 2020, Governor Kemp entered another executive order which incorporated all of the terms and provisions of his above-mentioned June 11, 2020, Executive Order and which was effective from July 1, 2020, at 12:00 a.m. until July 15, 2020 at 11:59 p.m.; and,

WHEREAS, on July 15, 2020, Governor Kemp entered another executive order which (1) incorporated all of the terms and provisions of his above-mentioned June 29, 2020, Executive Order, (2) supplemented same with respect to the operation of certain Critical and non-Critical Infrastructure including, but not limited to, schools and child care learning centers and family child learning homes, and (3) specifically suspended any state, county, or municipal law, order, ordinance, rule or regulation, other than orders issued pursuant to the authority of Official Code of Georgia Annotated Section 38-3-60 et seq. (relating to judicial emergencies), requiring persons to wear face coverings, masks, face shields, or any other personal protective equipment while in places of public accommodation or on public property, said executive order being effective from July 16, 2020, at 12:00 a.m. until July 31, 2020 at 11:59 p.m.; and,

WHEREAS, on July 31, 2020, Governor Kemp entered another executive order which incorporated all of the terms and provisions of his above-mentioned July 15, 2020, Executive Order and which was made effective from August 1, 2020, at 12:00 a.m., until August 15, 2020, at 11:59 p.m.; and,

WHEREAS, on August 15, 2020, Governor Kemp entered another executive order effective from August 16, 2020, at 12:00 a.m. until August 31, 2020 at 11:59 p.m., which (1) extends the restrictions set forth in his July 31, 2020, Executive Order, (2) allows license-exempt day camp programs the option to operate during school terms for the purpose of providing Supervision as defined by Ga. Comp R. & Regs. R.591-1-1.32(7) and/or providing a physical location for children five (5) years of age or older participating in digital or distance learning during school hours, (3) suspends the nap or rest period requirement for pre-K programs that are operating less than six (6) consecutive hours per day, and (4) authorizes some local governments who meet a coronavirus "threshold" (there must be a prevalence in the applicable County of confirmed cases of COVID-19 over the previous 14 days of at least 100 cases per 100,000 people) to mandate the wearing of masks or face coverings in public subject to a number of restrictions including, but not limited to, (i) the unenforceability of such a mandate on private property unless the owner or occupant consents; (ii) exempting from the mandate's application individuals on private residential property or at polling places; (iii) exempting from the mandate's application individuals while eating or drinking, who have difficulty donning or removing a face mask or face covering without assistance, who have a bona fide religious objection to wearing the mask, or who have a bona fide medical reason not to wear a face mask or face covering; (iv) limiting enforcement of the mandate to individuals and not holding owners, directors, officers, or agents of any business, establishment, corporation, non-profit corporation, or organization liable for the failure of their employees or customers to comply with the mandate; (v) requiring the issuance of a warning before writing a citation for violating the mandate; and (vi) limiting the penalty for non-compliance with the mandate to \$50.00 without any imprisonment; and,

WHEREAS, on August 31, 2020, Governor Kemp entered another executive order effective from September 1, 2020, at 12:00 a.m. until September 15, 2020, at 11:59 p.m., extending for fifteen (15) days all of the terms and provisions set forth in his August 15, 2020, Executive Order; and,

WHEREAS, on September 15, 2020, Governor Kemp entered another executive order effective from September 16, 2020, at 12:00 a.m. until September 30, 2020, at 11:59 p.m., again extending for fifteen (15) days all of the terms and provisions set forth in his August 31, 2020, Executive Order, and also terminating his prior April 8, 2020, Executive Order with respect to nursing homes and long-term care facilities, and instead implementing a three-phase system for the opening up of Long-Term Care Facilities (as defined therein) pursuant to the State of Georgia Department of Public Health's Long-Term Care Facilities Reopening Guidance Administrative Order; and,

WHEREAS, on September 30, 2020, Governor Kemp entered another executive order effective from October 1, 2020, at 12:00 a.m. until October 15, 2020, at 11:59 pm., once again extending for fifteen (15) days most of the terms and provisions set forth in his September 15, 2020, Executive Order except for the provisions specifically applicable to summer camps and overnight camps; and,

WHEREAS, on October 15, 2020, Governor Kemp entered another executive order effective from October 16, 2020, at 12:00 a.m. until October 31, 2020, at 11:59 p.m., extending for fifteen (15) days all of the terms and provisions set forth in his September 30, 2020, Executive Order; and,

WHEREAS, on October 30, 2020, Governor Kemp entered another executive order effective from November 1, 2020, at 12:00 a.m. until November 15, 2020, at 11:59 p.m., extending for fifteen (15) days all of the terms and provisions set forth in his October 15, 2020, Executive Order; and,

WHEREAS, on November 13, 2020, Governor Kemp entered another executive order effective from November 16, 2020, at 12:00 a.m. until November 30, 2020, at 11:59 p.m., extending for fifteen (15) days all of the terms and provisions set forth in his October 30, 2020, Executive Order;

WHEREAS, on November 30, 2020, Governor Kemp entered another executive order effective from December 1, 2020, at 12:00 a.m. until December 15, 2020, at 11:59 p.m., extending for fifteen (15) days all of the terms and provisions set forth in his November 13, 2020, Executive Order; and,

WHEREAS, on December 8, 2020, Governor Kemp entered another executive order effective from December 16, 2020, at 12:00 a.m. until December 31, 2020, at 11:59 p.m., extending for fifteen (15) days all of the terms and provisions set forth in his November 30, 2020, Executive Order; and,

WHEREAS, on December 30, 2020, Governor Kemp entered another executive order effective from January 1, 2021, at 12:00 a.m. until January 15, 2021, extending for fifteen (15) days all of the terms and provisions set forth in his December 8, 2020, Executive Order, and also implementing a **“Post-Exposure Quarantine Protocol”** which shall mean that, in accordance with Centers of Disease Control and Prevention and Georgia Department of Public Health guidelines, any person who has had close contact (six (6) feet or closer for a cumulative total of fifteen (15) minutes or more) with a person that has or is suspected to have COVID-19 within the past fourteen (14) days is required to either (A) Quarantine at their home or place of residence for fourteen (14) days from the date of the most recent exposure; (B) Quarantine at their home or place of residence for at least ten (10) days from the date of the most recent exposure, then practice extreme diligence in monitoring for Symptoms of COVID-19, wearing a face covering, and social distancing until fourteen (14) days have passed since the date of the last exposure, or (C) Quarantine at their home or place of residence for at least seven (7) days from the date of the most recent exposure if a COVID-19 test was taken no earlier than day five (5) of quarantine and a negative result is received, then practice extreme diligence in monitoring for Symptoms of COVID-19, wearing a face covering, and social distancing until fourteen (14) days have passed since the date of the most recent exposure (providing that if at any time during the Post-Exposure Quarantine Protocol time period a person experiences Symptoms of COVID-19, that person shall be required to seek a COVID-19 test, isolate until the test results are received, and proceed in accordance with the test results and Centers of Disease Control and Prevention and Georgia Department of Public Health Guidelines); and,

WHEREAS, on January 15, 2021, Governor Kemp entered another executive order effective from January 16, 2021, at 12:00 a.m. until January 31, 2021, at 11:59 p.m., extending for fifteen (15) days all of the terms and provisions set forth in his December 30, 2020, Executive Order; and,

WHEREAS, on January 29, 2021, Governor Kemp entered another executive order effective from February 1, 2021, at 12:00 a.m. until February 15, 2021, at 11:59 p.m., extending for fifteen (15) days all of the terms and provisions set forth in his January 15, 2021, Executive Order; and,

WHEREAS, on February 15, 2021, Governor Kemp entered another executive order effective from February 16, 2021, at 12:00 a.m. until February 28, 2021, at 11:59 p.m., extending for thirteen (13) days all of the terms and provisions set forth in his January 15, 2021, Executive Order and, in addition, modified certain sanitation guidance for businesses and events based on recent findings that the virus may spread from surface contact, as well as added a requirement for restaurants and non-critical infrastructure businesses and events to ensure the proper operation of their ventilation systems which, based on findings, may reduce the spread of COVID-19 through increased air circulation and purification; and,

WHEREAS, on February 26, 2021, Governor Kemp entered another executive order effective March 1, 2021, at 12:00 a.m. until March 15, 2021, at 11:59 p.m., extending for fifteen (15) days all of the terms and provisions set forth in his February 15, 2021, Executive Order and, in addition, modified the Post-Exposure Quarantine Protocol with respect to exposed persons who have been fully vaccinated against COVID-19 within three (3) months of the exposure and persons who have recovered from confirmed COVID-19 infections and are within ninety (90) days following the onset of COVID-19 symptoms or the first positive COVID-19 test result if they were asymptomatic during the initial infection, which persons shall not be required to quarantine but shall actively monitor for COVID-19 Symptoms; and,

WHEREAS, on March 12, 2021, Governor Kemp entered another executive order effective March 16, 2021, at 12:00 a.m. until March 31, 2021, at 11:59 p.m., combining the COVID19 restrictions for restaurants and bars to hold both types of establishments to the same standards, and streamlining the suggestions and requirements for critical infrastructure and non-critical infrastructure organizations to remove unnecessary requirements based on existing standard operating procedures for the organizations and the ineffectiveness of certain measures, and otherwise extending for sixteen (16) days all of the terms and provisions set forth in his February 26, 2021, Executive Order; and

WHEREAS, on March 31, 2021, Governor Kemp entered another executive order effective April 1, 2021, at 12:00 a.m., extending for fifteen (15) days until April 15, 2021, at 11:59 p.m., all of the terms and provisions set forth in his March 12, 2021, a copy of the March 31, 2021, Executive Order is attached hereto; and,

WHEREAS, public health experts, including those at the CDC and the National Institute of Health (NIH), have advised that individuals infected with COVID-19 are contagious even while experiencing minor or no symptoms and implored leaders to take immediate action to prevent further community spread of COVID-19; and,

WHEREAS, on March 22, 2020, at 5:00 p.m., the Garden City Mayor declared an emergency in the City and set forth deliberate measures to minimize the spread of COVID-19 in Garden City and to prevent or minimize sickness and injury to people and damage to property within the City resulting from the virus, and has re-declared such emergency for thirty-nine (39) consecutive periods based on the continuing and increased threat of the disease; and,

WHEREAS, since the last Declaration of Local Emergency issued on March 15, 2021, the total confirmed number of COVID-19 cases in Georgia has increased from 835,484 to 851,306, and the total number of confirmed cases in Chatham County is 19,460, there having been 332 cases in the last two weeks; and,

WHEREAS, in the last fourteen (14) days, there have been 114 confirmed cases of COVID-19 per one hundred thousand (100,000) people in Chatham County, Georgia according to the Georgia Department of Public Health; and,

WHEREAS, the Governor has stressed the continued need for social distancing, and the wearing of face coverings as practicable while outside homes, except when eating, drinking or exercising outdoors; and,

WHEREAS, in December 2020, the State of Georgia implemented a COVID-19 vaccine distribution plan which has been successful in vaccinating a significant percentage of Georgia's healthcare workers, elderly population, first responders, educators, medically fragile population, and other hardworking Georgians; and,

WHEREAS, as a result of the State's successful vaccine distribution program, the ample supply of COVID-19 tests and personal protective equipment, the improved treatment methods for COVID-19 patients, and residents' efforts to minimize the spread of COVID-19 through social distancing, wearing face coverings, and hand sanitizers, the increase of COVID-19 cases has slowed down;

WHEREAS, in the judgment of the Mayor, the following actions are still necessary and appropriate to provide for the health, safety, and welfare of Garden City's residents as they resume conducting normal activities with reduced COVID-19 related restrictions.

NOW, THEREFORE, pursuant to the authority vested in me by local and state law;

IT IS HEREBY DECLARED that a local state of emergency again exists in the City and shall continue until the conditions requiring this Declaration are abated or until the Declaration expires as a matter of law.

IT IS THEREFORE ORDERED as follows:

1. This Declaration is issued in accordance with, and incorporates by reference, the Executive Orders of the President of the United States, the March 14, 2020, Proclamation of a State of Emergency issued by Governor Brian Kemp, and the above-mentioned Governor's Executive Orders of April 2, 2020, April 8, 2020, April 20, 2020, April 23, 2020, April 27, 2020, April 30, 2020, May 12, 2020, May 28, 2020, June 11, 2020, June 29, 2020, July 15, 2020, July 31, 2020, August 15, 2020, August 31, 2020, September 15, 2020, September 30, 2020, October 15, 2020, October 30, 2020, November 13, 2020, November 30, December 8, 2020, December 30, 2020, January 15, 2021, January 29, 2021, February 15, 2021, February

26, 2021, March 12, 2001, and most recently, March 31, 2021. The terms of such Orders are hereby made the terms of this Declaration to be carried out with the force of local law.

2. Emergency management operations shall continue to be carried out by the Garden City Emergency Management Department as well as by the Chatham Emergency Management Agency pursuant to that certain Local Emergency and Disaster Mutual Aid Agreement with Chatham County dated on or about April 16, 2016, and by that certain Statewide Mutual Aid and Assistance Agreement by and between the City, Chatham County, the Chatham Emergency Management Agency, and the Georgia Emergency Management Agency/Homeland Security dated on or about April 16, 2016, as re-executed for renewal on February 2, 2020.

3. In addition, the following measures shall be implemented effective 12:01 a.m. on April 8, 2021, in accordance with Governor Kemp's Executive Order dated March 31, 2021:

(a) All required resources of Garden City shall be made available to assist in activities designed to address this emergency, to control the spread of COVID-19, and to aid in recovery efforts.

(b) As a condition for conducting normal in-person operations with the public, all businesses, establishments, corporations, non-profit corporations, or organizations (collectively, "Organizations") shall implement measures which mitigate the exposure and spread of COVID-19 among its workforce including, but not limited to (i) any measures that may have been proven effective to control the spread of COVID-19, (ii) increasing physical space between workers and customers, (iii) increasing physical space between workers' worksites to at least six (6') feet, (iv) enforcing social distancing of non-cohabitating persons while present on such business entity's leased or owned property, and, (v) if the entity engages volunteers or has members of the public participate in activities, prohibiting volunteering or participation in activities for persons diagnosed with COVID-19, having exhibited COVID-19 Symptoms, or having had contact with a person that has or is suspected to have COVID-19 within the past fourteen (14) days and have not yet completed the Post-Exposure Quarantine Protocol, (vi) encouraging patrons to use hand sanitizer upon entry, (vii) sanitizing entrance and exit doors on a regular basis, (viii) encouraging employees to report health/safety issues to the employer, (ix) installing protective screens or other mitigation measures where work-patron interactions are likely, (x) providing additional hand sanitizer within the business; and (xi) ensuring ventilation systems operate properly and increasing circulation and purification of air with facilities as practicable.

(c) Residents shall practice social distancing as directed by the CDC.

(d) Subject to the following exceptions and/or exemptions, all persons shall wear masks or facial coverings covering the nose and mouth in public places of all sorts (the "Face Covering Requirement"):

(i) The Face Covering Requirement shall not be applied to individuals who

are eating or drinking, those who have difficulty donning or removing a face mask or face covering without assistance, those who have a bona fide religious objection to wearing a face mask or face covering, or those who have a bona fide medical reason not to wear a face mask. The Requirement shall also not apply in the following circumstances: (A) when a person is alone in enclosed spaces or only with other household members, (B) when wearing a facial mask or covering would prevent the receipt of personal services or performing work in the course of employment, (C) when complying with the directions of a law enforcement officer or for the purpose of verifying a person's identity, such as when purchasing alcohol, tobacco, or prescription drugs or when engaging in financial transactions, (D) children under the age of ten (10) years, (E) when outdoors and maintaining social distancing from anyone other than individuals with whom they cohabitate, and (F) in personal vehicles or upon residential property.

- (ii) The Face Covering Requirement shall not give rise to any penalties (criminal or otherwise) or other cause of action against any private business, establishment, corporation, non-profit corporation, or organization.
- (iii) Notwithstanding the provisions set forth in Section 9 of this Declaration, the Face Covering Requirement shall not give rise to any fines, fees, or penalties in excess of fifty (\$50.00) dollars against any person per offense, nor shall it be punishable by imprisonment for any term. Prior to issuing any citation, law enforcement officers shall warn on compliant individuals about the health risks posed by not wearing a face mask or face covering and shall make good faith reasonable efforts to distribute free masks to individuals who cannot afford a face mask or face covering. A person who is found in violation of the Face Covering Requirement and who cannot afford a face mask or face covering shall be provided one at the City's expense.
- (iv) Enforcement measures may only be taken against individuals. Owners, directors, officers, or agents of any business establishment, corporation, non-profit corporation, or organization may not be held liable for the failure of their customers to comply with the mandate.
- (v) The Face Covering Requirement shall not be enforced at any polling place as defined under Official Code of Georgia Annotated Section 21-2-2(27), and no individual shall be denied ingress to or from a polling place for failure to wear a face covering or face mask.

- (vi) The Face Covering Requirement may be enforced against individuals on private property where the owner or occupant of the property consents to enforcement. Businesses, establishments, corporations, non-profit corporations, and organizations shall be required to post reasonable notice of the Face Covering Requirement and state whether such business, establishment, corporation, non-profit corporation, or organization consents to enforcement or does not consent to enforcement of such requirement on its property.

(e) All gyms, fitness centers, body art studios permitted pursuant to Official Code of Georgia Annotated Section 31-40-2, businesses registered pursuant to Official Code of Georgia Annotated Sections 43-10-11 and 43-10-18, estheticians as defined by Official Code of Georgia Annotated Section 43-10-1(8), hair designers as defined by Official Code of Georgia Annotated Section 43-10-1(9), and persons licensed to practice massage therapy pursuant to Official Code of Georgia Annotated Section 43-24A-8, may conduct in-person operations subject to implementing measures which mitigate the exposure and spread of COVID-19, such measures being set forth in Governor Kemp's Executive Order dated March 31, 2021, which include, but are not limited to, the measures applicable to Organizations as set forth above in Subsection 3(b) of this Declaration. With respect to fitness centers, such measures specifically include, but are not limited to (i) all exercise equipment being cleaned after use, (ii) requiring no less than six (6) feet of distance between patrons participating in group fitness classes, and (iii) enforcing social distancing and prohibiting congregating between non-cohabitating patrons, especially in pools, group fitness classes, and areas where group sports regularly occur. With respect to beauty salons, barber shops, body art studios, and massage therapists, such measures specifically include, but are not limited to, (i) requiring workers to wear personal protective equipment (e.g., masks, protective clothing, protective gloves, and shoe coverings) as available and appropriate to the function and location of the worker with the business location, and (ii) encouraging patrons to wear a face covering while receiving services.

(f) Live performance venues (i.e., any indoor or outdoor location that requires patrons to purchase a license to attend an event featuring live musical, dramatical, automotive, educational, or any other type of entertainment performed before in-person patrons, with the exception of drive-in performances, dining facilities, private reception venues, weddings, events held as part of a convention, and outdoor recreational fields used for amateur sporting events) shall be permitted subject to the applicable requirements above for Organizations as well as certain extra measures which will be determined based on a tiered classification. Live performance venues shall be tiered based upon the fire code capacity of the venue. Tier 1 shall include venues that can host 999 or fewer persons. Tier II shall include venues that can host between 1,000 and

4,999 persons. Tier III shall include venues that can host 5,000 or more persons. The calculation of the total number of persons shall include all persons, including workers that are present in a live performance venue. For the detailed requirements for each tier classification, reference is hereby made to the requirements set forth on pages 28 through 31 of Governor Kemp's March 31, 2021, Executive Order which are incorporated herein by reference thereto and made a part hereof.

(g) All bars (i.e., any entity which possesses a license to operate as a bar or otherwise meets the definition of a "bar" as defined by Official Code of Georgia Annotated Section 3-1-2(2.1), restaurants, dining rooms, as well as all banquet facilities, private event facilities, private reception venues, and private social clubs may conduct food services subject to the terms and conditions of Governor Kemp's March 31, 2021, Executive Order which are intended to mitigate the spread of the COVID-19 virus. Such conditions include, but are not limited to, (i) the measures applicable to Organizations as set forth above in Subsection 3(b) of this Declaration, (ii) the requirement that all employees wear face coverings while interacting with patrons, (iii) maintaining a regular cleaning schedule for the entire facility and frequently cleaning and sanitizing high contact areas that are touched often by workers and/or patrons including, but not limited to, table condiments, digital ordering devices, check presenters, self-service areas, reusable menus tabletops, and playgrounds, (iv) ensuring ventilation systems operate properly and increase circulation and purification of air within facilities as practicable, (v) providing service only to seated patrons, or if not applicable, to patrons in designated areas that are practicing Social Distancing, and (vi) establishing pathways for patrons' ingress and egress and ensuring that they are clear and unobstructed. All workers of such establishments who exhibit COVID-19 Symptoms shall be required to not report to work or to seek medical attention. If a worker becomes ill or presents COVID-19 Symptoms at work, the operator should identify the worker's condition during a pre-work screening and send the worker home. Bars and Restaurants shall create, maintain, and follow established policies regarding when workers who have become ill are permitted to return to work. A worker with known or suspected COVID-19 must self-isolate for at least ten (10) days after the onset of COVID-19 Symptoms and end isolation only after the symptoms have improved and the worker has been fever-free and/or free of COVID-19 Symptoms for three (3) consecutive days without medication before returning to work.

(h) Theater and cinemas may conduct operations subject to the terms and conditions of Governor Kemp's March 31, 2021, Executive Order. Such conditions include, but are not limited to, (i) the measures applicable to Organizations as set forth above in Subsection 3(b) of this Declaration, (ii) the strict enforcement of social distancing and the provision of hand sanitizers with respect to patrons, (iii) the regular cleaning of on-site playgrounds if in use; (iv) food service areas adhering to the same guidelines set

forth above in Subsection (g) for bars and restaurants, and (v) requiring each party of patrons in a theater to be seated at least three (3) feet apart.

(i) All amateur sports teams and amateur sports organizations that continue in-person operation during the effective dates of this Declaration shall adhere to the guidelines for Organizations set forth above. Collegiate or high school sports teams and organizations that engage in practices, games, or other in-person operations shall operate solely pursuant to the rules and guidelines that have been promulgated or approved by the applicable conference or association. Professional sports teams and professional sports organizations that engage in practices, games, or other in-person operations shall operate solely pursuant to the rules or guidelines that have been promulgated or approved by the respective professional league of the sport.

(j) Through April 30, 2021, all Long-Term Care Facilities, as defined on Page 8 of Governor's Kemp's March 31, 2021, Executive Order to include nursing homes, intermediate care facilities, inpatient hospice, assisted living communities, community living arrangements, and community integration homes shall take the steps set out on Pages 15 and 16 of said Order to prevent the spread of the virus which include, but are not limited to, the following:

(i) adhering to guidance provided by the Georgia Department of Public Health, the Centers for Disease Control and Prevention, the Centers for Medicare & Medicaid Services;

(ii) adopting an infectious disease transfer communication protocol with local hospitals; and,

(iii) implementing visitation policies which comply with the Georgia Department of Public Health's Long-Term Care Facility Administrative Order.

(k) In addition to the requirements for Organizations as set forth above in Subsection 3(b) of this Declaration, and the standard hygiene, sanitation, and disinfection licensing rules promulgated by the Georgia Department of Early Care and Learning, all child care facilities in the City that operate during the effective dates of Governor Kemp's March 31, 2021, Executive Order and this Declaration shall implement additional measures to prevent the spread of COVID-19. Such measures are set forth in Governor Kemp's March 31, 2021, Executive Order which include, but are not limited to, (i) screening all children prior to them entering the classroom for signs of an illness, fever, cough, or shortness of breath, (ii) prohibiting unnecessary visitors, (iii) providing meals in classrooms rather than in a congregated or communal setting, (iv) sanitizing frequently touched objects such as games and objects or surfaces not ordinarily cleaned daily, (v) using washable toys to the extent practical, and (vii) restricting the use of a child's

bedding to sheets, pillows, blankets, and sleeping bags which have been washed and kept separate in bins, cubbies, or bags.

(l) Schools shall comply with all of the requirements for Organizations as set forth in Subsection 3(b) of this Declaration and shall implement additional measures to prevent the spread of COVID-19 among workers and students while present on school campuses in accordance with Georgia Department of Public Health and the Centers for Disease Control and Prevention guidance.

(m) Conventions The term “Convention” means an organized event of more than 100 persons that is required to register or obtain a license to gather for a common purpose at a single indoor facility or grouping of indoor facilities for more than four hours and in some cases for more than one day. Such definition shall include exhibitions, tradeshow, conferences, and business retreats. Conventions shall not include any regular operation of a business that occurs on property owned or leased for the exclusive operation of such business. Conventions shall not include regular religious services, business meetings, sports competitions or events categorized by Official Code of Georgia Annotated Section 16-11-173(b)(1)(A). Conventions shall comply with all of the applicable requirements above for all businesses as well as the requirements set forth in Governor Kemp’s March 31, 2021, Executive Order which include, but are not limited to, (i) placing signage at any entrance to instruct patrons that they cannot enter if they have been diagnosed with COVID-19, have exhibited COVID-19 Symptoms, or had contact with a person that has or is suspected to have COVID-19 within the past fourteen (14) days and have not completed the Post-Exposure Quarantine Protocol, (ii) placing signage at any entrance and throughout the facility providing information regarding enhanced sanitation procedures, social distancing, and other instructions and limitations, as applicable, set forth below, (iii) requiring all workers who have frequent contact with patrons to wear a face covering while at the facility, provided, however, that such workers shall be permitted to remove their face coverings while either eating and drinking, due to warm weather, or because they are causing difficulty breathing due to extenuating circumstances, (iv) to the extent practicable, screening all individuals at entrances and preventing any person from entering or remaining that exhibits COVID-19 Symptoms, (v) providing an isolation area or areas for individuals experiencing COVID-19 Symptoms that are unable to immediately leave the convention, (vi) to the extent practicable, utilizing contactless parking systems, registration, check-in security checks, and/or sales, (vii) to the extent practicable, utilizing physical barriers such as partitions or Plexiglas at registration and check-in stations, refreshment stations, and points of sale, (viii) to the extent practicable, requiring pre-registration for all seated events to be held as part of the convention, (ix) implementing staggered registration and attendance times, as practicable, for patrons by using virtual queue systems or grouping patrons by name, registration level, or other variable, (x) reconfiguring all queues so that

patrons must adhere to social distancing while waiting, which may include floor markings, (xi) to the extent practicable, implementing one-way aisles to guide patron traffic through large areas of booths, (xii) requiring all food service facilities to follow the criteria for bars and restaurants set forth above in Subsection 3(g) of this Declaration, and (xiii) if the facility is open to multiple groups of patrons or is hosting multiple events at one time, to the extent practicable, prohibiting contact between patrons of separate event.

4. Telecommuting and operating as a single member home office with no clients or customers is not a violation of residential zoning.

5. Any person firm, or corporation located or doing business in the City which overcharges for any goods, materials, and services sold within the City during the duration of this Declaration or subsequent recovery period shall be prosecuted to the fullest extent permitted by law.

6. Any city ordinance in conflict with this Declaration is temporarily suspended during the Declaration of Local Emergency period, unless otherwise amended in writing.

7. Pursuant to Official Code of Georgia Annotated Section 38-3-7, any person who violates Governor Kemp's March 31, 2021, Executive Order shall be guilty of a misdemeanor. Any law enforcement officer enforcing the terms and provisions of the Order should take reasonable steps to provide notice prior to issuing a citation or making an arrest. No provision of said Order or this Declaration shall limit the ability of law enforcement officers to enforce the laws of this State and the ordinances of this City. Particularly, the provisions of Official Code of Georgia Annotated Section 38-3-4 (requiring the law enforcement officers of the State and of the political subdivisions thereof to enforce the Governor's orders issued pursuant to Articles 1 through 3 of Title 38, Chapter 3 of the Official Code of Georgia Annotated) remain in effect.

8. Any law enforcement may, after providing reasonable notice and at least two citations for violations of Official Code of Georgia Annotated Section 38-3-7, is authorized to mandate the closure of any business, establishment, corporation, non-profit corporation, or organization not in compliance with Governor Kemp's March 31, 2021, Executive Order, for a period not to extend beyond the term of said Order.

9. A violation of this Declaration shall be punished as outlined in Section 1-13 of the Garden City Code.

10. This Declaration is issued based on evidence of the increasing occurrence of COVID-19 within Chatham County and throughout the State of Georgia, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health

of a significant portion of the population of Garden City places it at risk for serious health complications including death, from COVID-19. It comes after the release of substantial guidance from the CDC, the Georgia Department of Public Health, and other public health officials throughout the State of Georgia, the United States, and around the world, including a variety of prior orders to combat the spread and harms of COVID-19.

11. The emergency measures set forth in this Declaration shall be in effect from April 8, 2021, at 12:01 a.m. until April 30, 2021, at 11:59 p.m., but maybe re-exercised and extended by the Mayor for additional emergency periods upon subsequent declarations of emergencies being made based on the continued assessment of the quickly evolving situation.

ENTERED at 10:00 a.m. on this the 31st day of March, 2021.

A handwritten signature in dark ink, appearing to read "Don Bethune". The signature is stylized with a large, circular initial "D" and a long, horizontal stroke extending to the right.

DON BETHUNE, Mayor